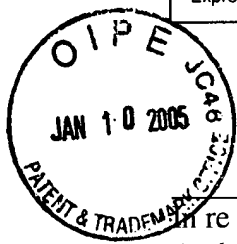


01-12-05

IFW

5382054981US
Express Mail Label No. Dated: 1/10/05

Docket No.: 05986/000M673-US0
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Andrew Kent et al.

Application No.: 10/643,762

Confirmation No.: 3914

Filed: August 19, 2003

Art Unit: 2818

For: HIGH SPEED LOW POWER MAGNETIC
DEVICES BASED ON CURRENT INDUCED
SPIN-MOMENTUM TRANSFER

Examiner: V. Q. Nguyen

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement set forth in the Office Action mailed December 9, 2004, applicants hereby provisionally elect the invention of Group I (claims 1-20 and 23-33) for prosecution in this application.

Additionally, applicants respectfully traverse the Restriction Requirement. The invention of Group II (claims 21-22) is directed to a method of magnetic switching used in conjunction with magnetic devices such as the ones which are the subject of various other of the pending claims in this application. As such, the invention of Group II can not properly be

considered to be a completely separate invention from that of Group I. Accordingly, applicants request that the Restriction Requirement be withdrawn and that the claims of Group II also be examined on the merits in this application.

Dated: January 10, 2005

Respectfully submitted,

By 

Pierre R. Yanney

Registration No.: 35,418

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant